

STATE OF CALIFORNIA
REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

STAFF SUMMARY REPORT (Steven Moore)
MEETING DATE: November 28, 2001

ITEM: 22

SUBJECT: **2002 WATER QUALITY ASSESSMENT AND 303(d) LIST OF IMPAIRED WATER BODIES IN THE SAN FRANCISCO BAY REGION – Adoption of Resolution Allowing Executive Officer to Transmit Recommendations to the State Water Resources Control Board**

CHRONOLOGY: Process for 2002 Water Quality Assessment and 303(d) List – March 21, 2001

DISCUSSION: Every two years the State is required to report to the U.S. EPA on the status of water quality in the State and provide a list of impaired water bodies (the so-called 303(d) list). These actions, prescribed in the Clean Water Act, define impaired water bodies as those where water quality standards are not met. The water quality assessment and 303(d) list provide the State planning tools to identify waters where regulatory programs are not addressing water quality issues of concern to the public. As such, the 303(d) list is the basis for developing total maximum daily loads (TMDLs) for pollutants causing the listed impairments. In California, Regional Boards transmit recommendations to the State Board, which compiles the water quality assessment and revised 303(d) list, considers public comment, and sends the revised list to U.S. EPA (estimated to be April 2002). This process does not involve a regulatory action by the Regional Board. However, we are asking the Regional Board to adopt a resolution (Appendix A) allowing the Executive Officer to transmit our recommendations to the State Board. A summary table of our recommended changes is included in Appendix B.

Federal regulations specify that States must “evaluate all existing and readily available water quality-related data and information” when developing the 303(d) list. These include recent physical, chemical, and biological data or information. Changes to the 303(d) list may include: (1) adding water bodies and pollutants to the list; (2) de-listing, or removing water bodies and pollutants from the list; or (3) refining the list, using recent data to indicate specific pollutants instead of pollutant classes (e.g., mercury in lieu of metals).

We have prepared a detailed staff report (Appendix C) with recommended changes to the 303(d) list and accompanying rationale. The public was actively solicited for water quality information (Attachment A of Appendix C), as presented to the Board March 21, 2001. Seventeen separate submittals of information or requests to list or de-list were received. A draft staff report proposing revisions to the 303(d) list was sent to interested parties for comment on August 27, 2001. We also posted the draft report on our website. We received 16 comment letters (Attachment E of Appendix C). We subsequently revised the staff report and our recommended changes to the 303(d) list and prepared responses to comments received (Attachment D of Appendix C). The full 303(d) list for the San Francisco Bay Region, including existing listings and recommended changes, is included as Attachment B of the staff report, with recommended new listings in **bold font**, and recommended de-listings in ~~strike through~~. The rationale for our recommendations is included as Attachment C of the staff report.

We reviewed data and information from specific water bodies to determine whether or not they are attaining water quality standards. Water quality standards are defined as the water body's beneficial uses, any numeric or narrative water quality objectives to protect those uses, and a statement of antidegradation, preventing the degradation of an otherwise high quality water to the threshold of impairment. Where numeric data were available that were of acceptable quality, we compared the data to applicable water quality objectives in the Basin Plan or California Toxics Rule. If the data were representative of relevant conditions of exposure to fish, wildlife, or human health, we compared these data to applicable narrative and numeric water quality objectives to protect specific beneficial uses, such as swimming, fishing, drinking water, or protection of aquatic life. Most importantly, we have documented all data and information that we have used and how we have used them to make listing or delisting recommendations.

In addition to the 303(d) list, we are proposing a preliminary or "watch" list for waterbodies and pollutants, detailed in the section entitled "Threatened Impairments to Water Quality." Placement of water bodies and pollutants or stressors on the "watch" list is recommended when anecdotal information suggests they may be impaired but either (1) the available data or information are inadequate to draw a conclusion, or (2) a regulatory program is in place to control the pollutant but data are not available to demonstrate that the program is successful. Both scenarios are common, due to limited information, and both trigger assessment activities to support specific impairment decisions in the following listing cycle. A summary table of our recommended "watch" list is included in Appendix B.

The TMDL process has become the highest priority water quality program in the state. Dischargers and other interested parties are now aware of the regulatory implications of the 303(d) list and TMDLs and are providing much more input than in the past. We welcome their scrutiny and will continue to seek stakeholder involvement and collaboration as much as possible. Despite numerous challenges, the 303(d) list and TMDL process provide an opportunity to focus our efforts on the most compelling water quality problems. Our most significant challenges are associated with limited data and information on our waterbodies, sources of pollutants causing impairment, and actions necessary to control sources and resolve impairments. Fortunately, through effective use of our resources and collaborative efforts by stakeholders, more quality data and information will soon be available, and the cyclical nature of the 303(d) list process allows refinements and revisions to the list as more data become available over time.

RECOMMEN-
DATION:

Adopt the Tentative Resolution.

Appendix A: Tentative Resolution

Appendix B: Recommended changes to the 303(d) list
Recommended watch list

Appendix C: 303(d) Staff Report, including:
Attachment A, Public Solicitation of Water Quality Information
Attachment B, Revised 303(d) List
Attachment C, Rationale for 303(d) Listing or De-listing Decisions
Attachment D, Response to Comments
Attachment E, Public Comments on Draft 303(d) Staff Report

APPENDIX A

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION**

TENTATIVE RESOLUTION

TRANSMITTAL TO THE STATE WATER RESOURCES CONTROL BOARD

**RECOMMENDING CHANGES TO THE LIST OF WATERBODIES AS REQUIRED IN
SECTION 303(D) OF THE CLEAN WATER ACT**

WHEREAS, Section 305(b) of the Federal Clean Water Act requires the State to prepare a biennial update of an assessment of the waters within the State; and

WHEREAS, Section 303(d) of the Federal Clean Water Act requires the State to provide an update of a list of the waters within the State for which existing limitations are not stringent enough to implement water quality standards applicable to such waters; and

WHEREAS, the Regional Water Quality Control Board (Regional Board) has been directed to review and revise the Water Quality Assessment and 303(d) list for waters within the Region for inclusion in the 2002 California Water Quality Assessment and California 305(b) Report on Water Quality; and

WHEREAS, the Regional Board solicited water quality information from the public on March 2, 2001, and received 17 responses with varying levels of information; and

WHEREAS, Regional Board staff considered all public responses to the Regional Board's solicitation of water quality information and circulated draft recommendations for public review and comment on August 27, 2001, and received 16 comment letters or email messages during a 45-day comment period; and

WHEREAS, Regional Board staff considered all public comments received and provided written responses and revised the draft report for the Regional Board's consideration; and

WHEREAS, on November 28, 2001 in Oakland, California, the Regional Board conducted an extended public hearing and considered all testimony and comments, both oral and written, regarding the 2002 Water Quality Assessment and 303(d) list for the San Francisco Bay Region;

THEREFORE, BE IT RESOLVED that the Regional Board concurs with the process being used by staff to recommend to the State Water Resources Control Board changes to the 303(d) list; and

BE IT FURTHER RESOLVED that the California Regional Water Quality Control Board, San Francisco Bay Region, in fulfillment of the requirements described in Sections 305(b) and 303(d) of the Clean Water Act, hereby authorizes the Executive Officer to transmit recommended revisions to the 303(d) Priority List, as detailed in the attached Staff Report dated November 14,

2001, to the State Water Resources Control Board for inclusion in the 2002 California Water Quality Assessment and California 305(b) Report on Water Quality.

I, Loretta K. Barsamian, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on November 28, 2001.

Loretta K. Barsamian
Executive Officer

APPENDIX B

**RECOMMENDED CHANGES TO THE
303(d) LIST OF IMPAIRED WATERBODIES¹**

Waterbody	County	Pollutant or Stressor	Recommended Action
Petaluma River (tidal portion at mouth)	Sonoma	Copper, Nickel	List
Petaluma River	Sonoma	Diazinon	List
Arroyo Mocho, Arroyo Las Positas	Alameda	Diazinon	List
Marina Lagoon	San Mateo	High Coliform Count	List
San Gregorio Creek	San Mateo	High Coliform Count	List
Pomponio Creek	San Mateo	High Coliform Count	List
San Pedro Creek	San Mateo	High Coliform Count	List
San Vicente Creek	San Mateo	High Coliform Count	List
Baker Beach	San Francisco	High Coliform Count	List
China Beach	San Francisco	Beach Closures (wet weather/CSO)	List
Ocean Beach	San Francisco	Beach Closures (wet weather/CSO)	List
Fort Funston Beach	San Francisco	Beach Closures (wet weather/CSO)	List
Sharp Park Beach	San Mateo	Beach Closures (wet weather)	List
Rockaway Beach	San Mateo	High Coliform Count	List
Pacifica State Beach (Linda Mar or San Pedro Beach)	San Mateo	High Coliform Count (wet weather), Beach Closures	List
Fitzgerald Marine Reserve	San Mateo	High Coliform Count, Beach Closures	List
Pillar Point Beach	San Mateo	High Coliform Count, Beach Closures	List
Surfer's Beach	San Mateo	High Coliform Count (wet weather), Beach Closures	List
Venice Beach	San Mateo	High Coliform Count, Beach Closures	List
San Gregorio Beach	San Mateo	High Coliform Count (wet weather)	List
San Pablo Reservoir	Contra Costa	Mercury	List
Tomaes Bay, Walker Creek	Marin	Mercury	Change from "Metals"
Stege Marsh	Contra Costa	Sediment Toxicity and Benthic Community Effects	List
Mission Creek	San Francisco	Sediment Toxicity and Benthic Community Effects	List
Islais Creek	San Francisco	Sediment Toxicity and Benthic Community Effects	List
Peyton Slough	Contra Costa	Sediment Toxicity and Benthic Community Effects	List
Arroyo Hondo	Santa Clara	Diazinon	De-List (non-urban)
San Francisco Bay Segments (except Richardson Bay) ²	All	Copper	De-list, place on Preliminary List
San Francisco Bay Segments (except Richardson Bay and Central San Francisco Bay) ³	All	Nickel	De-list, place on Preliminary List

¹ See Attachment C, Rationale for Listing, for specific information on exceedance frequencies related to water quality objectives.

² San Francisco Bay Segments are generally defined as San Francisco Bay, Central; San Francisco Bay, Lower; San Francisco Bay, South; Richardson Bay; San Pablo Bay; Carquinez Strait; Suisun Bay; and Sacramento-San Joaquin Delta. Copper and nickel are not currently listed for Richardson Bay, and nickel is not currently listed for Central San Francisco Bay.

**RECOMMENDED “WATCH” LIST
ASSESSMENT PRIORITY LIST:
PRELIMINARY LIST OF WATERBODIES AND POLLUTANTS**

Waterbody	County	Pollutant(s) or Stressor(s)
San Francisco Bay Segments ³	All	Copper, Nickel
San Francisco Bay Segments ⁴	All	PAHs, PBDEs
Lake Merritt	Alameda	Low Dissolved Oxygen/ Organic Enrichment
Lake Merced	San Francisco	Low Dissolved Oxygen/ Organic Enrichment, pH
Redwood Creek, tidal portion	San Mateo	High Coliform Count
Castro Cove	Contra Costa	Sediment Toxicity
Central Basin	San Francisco	Sediment Toxicity
Oakland Inner Harbor (Pacific Drydock Yard 1 and Fruitvale sites)	Alameda	Sediment Toxicity
San Leandro Bay	Alameda	Sediment Toxicity
Novato Creek below Stafford Dam	Marin	Sedimentation/Siltation
Pilarcitos Creek below Pilarcitos Reservoir	San Mateo	Sedimentation/Siltation
Urban Creeks, Lakes, and Shorelines	All	Trash

³ San Francisco Bay Segments are generally defined as San Francisco Bay, Central; San Francisco Bay, Lower; San Francisco Bay, South; Richardson Bay; San Pablo Bay; Carquinez Strait; Suisun Bay; and Sacramento-San Joaquin Delta. Copper and nickel are not currently listed for Richardson Bay. Nickel is not currently listed for Central San Francisco Bay.

APPENDIX C